



ETH-5089

In re patent application of
John J. Price

U.S. Serial No.: 10/722,945

Confirmation No.: 9633

Filed: November 26, 2003

For: ARMED SUTURE WITH ADHESIVELY
ATTACHED SURGICAL NEEDLE

Examiner: Melanie Ruano Tyson

Group Art Unit: 3731

I hereby certify that this correspondence and/or fee is being
deposited with the United States Postal Service as First
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Amendment, Commissioner for Patents, P.O. Box 1450,
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10/13/06
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Stephanie B. de Moraes 10/13/06
(Signature) (Date)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

In an Office Action mailed September 5, 2006, the Examiner requested an
election under 35 U.S.C. §121 between the following inventions:

Group I: Claims 1-14, drawn to an armed suture; and

Group II: Claims 15-20, drawn to a method of making armed sutures.

The Examiner has also required an election between:

Species I: Depicted in Figures 1-4, without grooves; and

Species II: Depicted in Figures 6-7, with grooves.

In response to the Examiner's restriction requirement, applicant hereby
elects Group I and Species I for further prosecution herein. The Claims of Group I
which would read on Species I are as follows: Claims 1-12 and 14.

Appln. Serial No. 10/722,945
Election dated October 3, 2006
Reply to Office Action mailed September 5, 2006

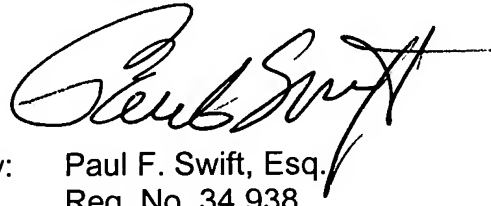
Applicant hereby reserves the right to file one or more divisional applications directed to the provisionally non-elected Group.

In view of the foregoing election, applicant and his attorney respectfully request that this application be examined on the merits. Should there remain any questions or other matters whose resolution could be advanced by a telephone call, the Examiner is invited to contact the undersigned attorney at his number below.

No fees are believed to be due as a result of the submittal of this Election. If any such fees are due, the Examiner is hereby authorized to charge them to Deposit Account No. 503571.

Respectfully Submitted,

McCARTER & ENGLISH

A handwritten signature in black ink, appearing to read "Paul F. Swift", with a long horizontal flourish extending to the right.

By: Paul F. Swift, Esq.
Reg. No. 34,938

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